

# Exhibit 51



WADE BILLER  
12/10/2021

<p style="text-align: right;">Page 129</p> <p>1 be included?</p> <p>2 A. There is the post-CHOP, the security and graffiti</p> <p>3 post-CHOP or the boarding up of windows after -- from</p> <p>4 July 1st forward through end of December would have been --</p> <p>5 it would be additional costs, and so this is just far</p> <p>6 during CHOP. That's why it makes reference to "due to</p> <p>7 CHOP."</p> <p>8 Q. Okay. And -- but aside from security costs,</p> <p>9 meaning Dauntless graffiti cleanup and broken windows,</p> <p>10 there are no other costs that the homeowners association is</p> <p>11 seeking in the lawsuit?</p> <p>12 A. No other financial losses or costs.</p> <p>13 Q. Are there any -- is there any nonfinancial</p> <p>14 loss-related relief that you think the homeowners</p> <p>15 association is seeking in the lawsuit?</p> <p>16 A. I -- I believe that's something that we haven't</p> <p>17 discussed and I'm not aware of, so there are -- there are</p> <p>18 constitutional rights and damages based on the</p> <p>19 circumstances that I don't have a dollar figure for. I</p> <p>20 think those have been called out, but I don't think there's</p> <p>21 a dollar figure for those being called out.</p> <p>22 Q. Okay. But do you believe that the HOA is</p> <p>23 entitled to some monetary amount in recompense for those</p> <p>24 alleged constitutional violations?</p> <p>25 A. I do.</p>	<p style="text-align: right;">Page 131</p> <p>1 think that would be minimizing the concept of</p> <p>2 constitutional rights. Can't narrow it down mere -- to</p> <p>3 narrow that down to mere additional security or graffiti</p> <p>4 removal.</p> <p>5 Q. Okay. So there are -- the constitutional --</p> <p>6 alleged constitutional violations aren't related to</p> <p>7 property damage?</p> <p>8 A. Correct.</p> <p>9 Q. Are they related to a loss in value to the</p> <p>10 homeowners association of some sort?</p> <p>11 A. No.</p> <p>12 Q. Are they related to any loss of income to the --</p> <p>13 to the homeowners association?</p> <p>14 A. No. We're a nonprofit, and there has been no</p> <p>15 impact to our assessments.</p> <p>16 Q. Are they -- has the homeowners association</p> <p>17 suffered some loss of good will?</p> <p>18 A. Could you clarify good will?</p> <p>19 Q. Has the homeowners association, in your mind,</p> <p>20 lost some sort of inherent value from being an ongoing</p> <p>21 entity?</p> <p>22 A. I'm not following the question.</p> <p>23 Q. Has the homeowners association had its reputation</p> <p>24 damaged, in your estimation?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 130</p> <p>1 Q. And what is that amount that you believe that the</p> <p>2 homeowners association is entitled to?</p> <p>3 A. I don't know that that has actually been given a</p> <p>4 huge amount of consideration or the correlation between the</p> <p>5 circumstances, the constitutional violations to have a</p> <p>6 number at our disposal right now, so I don't have one</p> <p>7 personally.</p> <p>8 Q. What constitutional rights does the homeowners</p> <p>9 association have that you believe have been violated?</p> <p>10 A. I believe that is called out in the lawsuit, so</p> <p>11 I'm not looking at it right now.</p> <p>12 Q. So you're not able to answer that question</p> <p>13 sitting her today?</p> <p>14 A. I'm not.</p> <p>15 Q. What -- what damages did the homeowners</p> <p>16 association suffer as a result of those alleged</p> <p>17 constitutional violations?</p> <p>18 MR. REILLY-BATES: Objection. Asked and</p> <p>19 answered, calls for legal conclusion, will be subject to</p> <p>20 expert -- his testimony.</p> <p>21 BY MR. CRAMER:</p> <p>22 Q. Property damage? Is that included? Is that part</p> <p>23 of the damages that you think have been caused by</p> <p>24 constitutional deprivation?</p> <p>25 A. I -- I don't think it is minimized to that. I</p>	<p style="text-align: right;">Page 132</p> <p>1 Q. Has it been damaged in any other way that I</p> <p>2 haven't already asked you about?</p> <p>3 A. It hasn't been damaged in any way that's not</p> <p>4 outlined in the lawsuit.</p> <p>5 Q. But you don't have any --</p> <p>6 A. I don't have anything in addition to.</p> <p>7 Q. And you're not in a position to provide any</p> <p>8 estimate of the valuation of those damages?</p> <p>9 A. Correct.</p> <p>10 Q. Are you, Mr. Biller, seeking damages in this</p> <p>11 action?</p> <p>12 A. From a constitutional perspective, yes. In a</p> <p>13 financial costs for deductibles in relationship to the</p> <p>14 machete attack, yes.</p> <p>15 Q. Okay. So are you purporting to represent the</p> <p>16 class of individuals who have been personally injured in</p> <p>17 connection with CHOP?</p> <p>18 A. No.</p> <p>19 Q. So the class does not include individuals who</p> <p>20 have been personally injured as a result of or in</p> <p>21 connection with CHOP?</p> <p>22 A. I represent -- currently I represent myself and</p> <p>23 the association. I'm not aware of anyone else being</p> <p>24 physically hurt or any other additional damages have not</p> <p>25 been brought forward by other owners.</p>

33 (Pages 129 to 132)

WADE BILLER  
12/10/2021

Page 233

SIGNATURE

I declare that I have read my within deposition,  
taken on Friday, December 10, 2021, and the same is true  
and correct save and except for changes and/or corrections,  
if any, as indicated by me on the "CORRECTIONS" flyleaf  
page hereof.

Signed in \_\_\_\_\_, Washington,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
WADE BILLER

Page 234

REPORTER'S CERTIFICATE

I, Mindy L. Suurs, the undersigned Certified Court  
Reporter, pursuant to RCW 5.28.010, authorized to  
administer oaths and affirmations in and for the State of  
Washington, do hereby certify:

That the foregoing testimony of WADE BILLER was given  
before me at the time and place stated therein and  
thereafter was transcribed under my direction;

That the sworn testimony and/or proceedings were by me  
stenographically recorded and transcribed under my  
supervision, to the best of my ability;

That the foregoing transcript contains a full, true,  
and accurate record of all the sworn testimony and/or  
proceedings given and occurring at the time and place  
stated in the transcript;

That the witness, before examination, was by me duly  
sworn to testify the truth, the whole truth, and nothing  
but the truth;

That I am not a relative, employee, attorney, or  
counsel of any party to this action or relative or employee  
of any such attorney or counsel and that I am not  
financially interested in the said action or the outcome  
thereof;

DATE: December 20, 2021

*Mindy L. Suurs*

Mindy L. Suurs  
Certified Court Reporter #2195



59 (Pages 233 to 234)